

032504

P25049.P01

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

P25049

Total Pages

Inventor(s) or Application Identifier

Kenji KANEKO, Shinichi SUZUKI, Homu TAKAYAMA,  
Tadahisa HOSHINO, Takanori YACHI, and Masayuki UENOTitle: A SURVEYING INSTRUMENT HAVING AN  
OPTICAL DISTANCE METER AND AN AUTOFOCUS  
SYSTEM, AND A SURVEYING INSTRUMENT HAVING A  
DETACHABLE AUTOFOCUS SYSTEM

ADDRESS TO:

Commissioner for Patents  
Mail Stop Patent Application  
PO Box 1450  
Alexandria, VA 22313-1450

## APPLICATION ELEMENTS

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
  - a. ☐ Small Entity Statement(s)
3. ☒ Specification [Total Pages 59]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets 15]
5. ☒ Oath or Declaration [Total Pages 4]
  - a. ☐ Newly executed (original or copy) ☐ Unexecuted
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 20 completed)  
[Note Box 6 below]
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☒ Incorporation By Reference (useable if Box 5b is checked)  
The entire disclosure of the prior application, from which a  
copy of the oath or declaration is supplied under Box 5b, is  
considered as being part of the disclosure of the accompanying  
application and is hereby incorporated by reference therein.
7. ☐ Application Data Sheet. See 37 CFR 1.76
8. ☐ CD-Rom or CD-R in duplicate, large table or Computer  
Program (Appendix)

## ACCOMPANYING APPLICATION PARTS

9. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies
10. ☐ Assignment Papers (cover sheet & document(s))
11. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
12. ☐ English Translation Document (if applicable)
13. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
14. ☐ Preliminary Amendment
15. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
16. ☒ Figure of Drawing to be published 12
17. ☒ Foreign priority claimed
  - a. ☒ Claim of Priority
  - b. ☐ Certified Copy of Priority Document(s)
18. ☐ Nonpublication Request under 35 U.S.C. 122 (b) (2) (B) (i).  
Applicant must attach form PTO/SB/35 or its equivalent.
19. ☒ Assignee: PENTAX Precision Co., Ltd. of Tokyo, Japan
20. ☐ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

21. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 C.F.R. 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior Application No. 09/938,663, filed August 27, 2001.  
Prior application information: Examiner: \_\_\_\_\_ Group Art Unit: \_\_\_\_\_
Address all future correspondence to **Customer No. 7055** at the present address of:

GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
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3-25-04  
Date

Will. E. Lyndal Reg. No.  
Signature 41,568

Bruce H. Bernstein, Reg. No. 29,027  
Typed or Printed Name

# FEE TRANSMITTAL

## Complete if Known

Application Number	Not Yet Assigned
Filing Date	Concurrently Herewith
First Named Inventor	Kenji KANEKO et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned

TOTAL AMOUNT OF PAYMENT (\$)**770.00**

Attorney Docket Number P25049

## METHOD OF PAYMENT (check one)

1. ☒ The U.S Patent and Trademark Office is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 19-0089

Deposit Account Name GREENBLUM & BERNSTEIN, P.L.C.

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136(a)(3))

☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b)

☐ Applicant Claims Small Entity Status See 37 CFR 1.27.

2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION (fees effective 10/01/03)

### 1. FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	<u>770.00</u>
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)**770.00**

### 2. CLAIMS

Total Claims	Extra	Fee from below	Fee Paid
15	-20=	0	18
Independent	1	-3=	0
Claims		0	86
Multiple Dependent Claims	0	x	290
			0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim
1204	86	2204	43	Reissue independent claims over original patent
1205	18	2205	9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0.00**

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR	
				Prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for response within 1st month	
1252	420	2252	210	Extension for response within 2nd month	
1253	950	2253	475	Extension for response within 3rd month	
1254	1,480	2254	740	Extension for response within 4th month	
1255	2,010	2255	1,005	Extension for response within 5th month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive unavoidably abandoned application	
1453	1,330	2453	665	Petition to revive unintentionally abandoned application	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of IDS	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

SUBTOTAL (3) (\$)**0.00**

\*Reduced by Basic Filing Fee paid

## SUBMITTED BY

Typed or Printed Name Bruce H. Bernstein

Signature

*Will E. Lyall Reg. No. 41,568*

Date

*3-25-04*

## Complete (if applicable)

Reg. Number

29,027

Deposit Account User ID